

EV 576571939 US  
(Express Mail Label Number)

April 28, 2005  
(Date of Deposit)

Esther Lily C. Esguerra  
(Printed Name)

*lee*  
(Signature)

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>355908-8201</b>
INTERNATIONAL APPLICATION NO. PCT/CA2003/001645	INTERNATIONAL FILING DATE 10/28/2003	U.S. APPLICATION NO. (if known) (see 37 C.F.R. 1.53) Not yet assigned <b>10/533553</b>
TITLE OF INVENTION DEVICE AND METHOD FOR CONTROLLED EXPRESSION OF GASES FROM MEDICAL FLUIDS DELIVERY SYSTEMS		PRIORITY DATE CLAIMED 10/29/2002
APPLICANT(S) FOR DO/EO/US David G. MATSUURA, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ul style="list-style-type: none"><li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ul></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ul style="list-style-type: none"><li><input type="checkbox"/> is attached hereto.</li><li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ul></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ul style="list-style-type: none"><li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li><li><input checked="" type="checkbox"/> have been communicated by the International Bureau.</li><li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li><input type="checkbox"/> have not been made and will not be made.</li></ul></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input type="checkbox"/> A preliminary amendment.</li><li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825</li><li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: International Search Report</li></ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) Not yet assigned <b>40/533553</b>		INTERNATIONAL APPLICATION NO. PCT/CA2003/001645		ATTORNEY'S DOCKET NUMBER 355908-8201	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/>	Basic national fee			\$300	\$ 300.00
22. <input checked="" type="checkbox"/>	Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$ 200.00
All other situations				\$200	
23. <input checked="" type="checkbox"/>	Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations				\$500	\$ 400.00
<b>TOTAL OF ABOVE 21, 22 and 23 =</b>					\$ 900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
55	- 100 = 0	/50 = 0		x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))					\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total Claims	34 - 20 =	14	x \$ 50.00		\$ 700.00
Independent Claims	9 - 3 =	6	x \$ 200.00		\$ 1200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00		\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 2930.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$ 1465.00
<b>SUBTOTAL =</b>					\$ 1465.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$
<b>TOTAL NATIONAL FEE =</b>					\$ 1465.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property					\$
<b>TOTAL FEES ENCLOSED =</b>					\$ 1465.00
					Amount to be refunded:
					charged:
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1,465. to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0872</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0872</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP			SIGNATURE		
Customer Number: 38706			William H. Benz		
			NAME		
			25,952		
			REGISTRATION NUMBER		